

Notice of Allowability

Application No.

10/619,108

Applicant(s)

MUIR, MALCOLM

Examiner

Michael J. Kyle

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 8/31/05.
2. ☒ The allowed claim(s) is/are 1-7 and 9-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 11102005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Thomas Ryan on November 9, 2005.

3. The application has been amended as follows:

Claim 5. (Currently Amended) A hinge assembly comprising:

- (a) a track having a length and a width;
- (b) a support extension attached to the track, the support extension having a planar bearing surface;
- (c) a first link pivotally attached to the support extension at a first pivot point, the first link movable between the closed position and an open position, the first link having a given length, and the bearing surface underlying the given length of the first link in the closed position;
- (d) a second link pivotally attached to the support extension at a second pivot point spaced apart from the first pivot point, the second link movable between a closed position and an open position, the bearing surface underlying at least a portion of a length of the second link in the closed position;
- (e) a shoe slidably engaging the track;

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(f) a sash bar pivotally attached to the first link;
(g) a strut pivotally attached to the sash bar, the second link and to the shoe and
(h) a tab in one of the first and second length being engageable with a capture recess in the other of the first and second links for transferring a limited range of angular motion between the first and second links,

wherein the tab and capture recess are shaped to accommodate unequal angular velocities of the first and second links about the first and second pivot points[[.]], and

wherein the support extension includes an integral end cap that is connected to the support extension beyond the length of the track.

Claim 6. (Cancelled)

Allowable Subject Matter

4. The following is an examiner's statement of reasons for allowance: The prior art shows a hinge assembly comprising a track, a support extension, first and second links pivotally connected to the support extension at spaced apart points, a shoe slidably engaging the track, a sash a bar pivotally attached to the first link, a strut pivotally attached to the sash bar, and the second link attached to the shoe (Wu). The prior art also shows the first and second links to include corresponding tab and capture recesses (Stavenau et al). The prior art fails to show each of the above elements in combination with the support extension extending beyond the length of the track, and further having an end cap connected to the support extension beyond the length of the track. As shown by the prior art, a "track" in a hinge of this type, is the portion where a shoe

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is retained and my slide along a length. In the present invention, the support extension extends beyond the length of the track. A shoe may not slide along the length of the support extension.


5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Kyle whose telephone number is 571-272-7057. The examiner can normally be reached on Monday - Friday, 8:30 am - 5:00 pm.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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ROBERT J. SANDY
PRIMARY EXAMINER